

CONSENSUS-BASED DECISION MAKING PROCESS for the CBNMS and GFNMS Working Groups

Decision Making Process

The working group will strive to achieve decisions by consensus. For matters of substance associated directly with its goals and objectives, the working group will strive for unanimity. In seeking consensus, each member has an obligation to articulate interests and build agreements by negotiating a recommendation for adoption by the Sanctuary Advisory Council. In exchange, each member has the right to expect:

- a full articulation of agreement and areas of disagreement, if any;
- an opportunity to revisit issues on grounds of substantial new information that becomes available during the working group's deliberations.

When unable to support a consensus, a member has an obligation to demonstrate that the item at issue is a matter of such principle or importance that his or her constituent's interest would be substantially and adversely affected by the proposed decision. In addition, it is the responsibility of the dissenting party to: 1) state the reason(s) underlying their withholding of consent in sufficient detail, and 2) offer an alternative suggestion that satisfactorily addresses not only their concerns and interests, but also those of other members of the working group as well.

Definition of Consensus

One definition of consensus is unanimity. This means that all participants will work toward reaching agreement as a group on all major elements of their collective decisions. In practice, however, where the challenge is a balancing of interests and issues, it is necessary to provide for differing levels of support between members and issues in constructing a viable set of agreements. In the unlikely event that one or more members disagree on a specific aspect of the issue, the recommendation will be forwarded to the SAC indicating points of agreement and points of disagreement. In the case of an incomplete recommendation (anything less than full consensus), the final decision will rest with the appropriate sanctuary.

From a practical and operational standpoint, the Sanctuary Program has used the following definition for consensus:

Consensus is a process used to find the highest level of agreement without dividing the participants into factions. Everyone in the group supports, agrees to, or can accept a particular decision. In the end, everyone can say "whether or not I prefer this decision above all others, I will support it because it was reached fairly and openly."

Levels of Agreement

In seeking consensus on an interim or final recommendation, it is understood that members should voice their concerns with specific proposals along the way, rather than waiting until a final recommendation has been developed. In addition, the working group may choose to use the following five levels of agreement to indicate a member's degree of approval and support for any proposal or decision being considered by the working group and to determine the degree of consensus among the working group:

Level 1 - I feel we have no clear sense of agreement among the group. We need to talk more before considering a decision.

Level 2 - I do not agree with the group's proposal. I feel the need to block its adoption and propose an alternative.

Level 3 - I may not be especially enthusiastic about it, but I can accept the group's proposal.

Level 4 - I think this proposal is the best choice of the options available to us.

Level 5 - I am enthusiastic about the group's proposal and am confident it expresses the best wisdom of the group.

The goal is for all members of the working group to be in the upper levels of agreement. The working group would be considered to have reached consensus if all members are at Levels 3 - 5. If any member of the working group is at Level 1 or 2, the working group will stop and evaluate how best to proceed.

In the event of significant disagreements, the working group will decide, in consultation with the facilitator, how best to move forward. For example, additional discussion may be needed to help understand unresolved concerns before proceeding further, or the group may benefit from creating additional options. If, after exhausting all other options, a working group member feels that he or she cannot go along with a very strong consensus developed by the working group, they have the option to withdraw as an official member of the working group.

Straw Polls

Straw polls may be taken to assess the degree of preliminary support for an idea, before being submitted as a formal proposal for final consideration by the working group. Members may indicate only tentative approval for a preliminary proposal, without fully committing to its support. It is understood that agreement on a final recommendation will typically require consideration by constituent groups on all elements of the recommendation that ultimately emerges from the working group.

Absence When Decisions Are Made

When members cannot attend a meeting of the working group, they will seek to communicate their views to other members of the group prior to meeting.

Absence of a member is interpreted as assent.

If Consensus Cannot Be Reached on the Final Recommendation

If consensus cannot be reached on a recommendation to the Sanctuary Advisory Council, the working group will forward to the SAC a summary of their areas of agreement and areas of disagreement. In no case will there be a statement of what portion of members were in favor of or opposed to any provision on which there is continuing disagreement.

Implementation Considerations

Although the working group as a whole is not directly responsible for implementation of its recommendation to the SAC, members should be continually mindful of the feasibility and practical aspects of any recommendation they develop.